

**U.S. DISTRICT COURT
DISTRICT OF MINNESOTA**

Vara Birapaka,

Court File No.: 17-cv-04090 (PAM/KMM)

Plaintiff,

vs.

U.S. Army Research Laboratory,
et al.,

Defendants.

**DEFENDANTS CITY OF BLOOMINGTON
AND CITY OF EAGAN'S
MOTION TO DISMISS THE
AMENDED COMPLAINT**

Defendants City of Bloomington and City of Eagan (“municipal defendants”), in lieu of answering the Amended Complaint (ECF Doc. No. 71), move for the Court to issue an Order dismissing it under Fed. R. Civ. P. 12(b)(6). This motion is supported by Defendants’ memorandum of law filed on November 22, 2017 (ECF Doc. No. 51),¹ arguments of counsel, the pleadings, files, and records herein.

¹ While Plaintiff did not include a redlined copy of his proposed Amended Complaint (ECF Doc. No. 71) under D. Minn. LR 15.1(b), it appears to only name additional defendants, and does not contain any new allegations against the municipal defendants. Therefore, this Court should dismiss Plaintiff’s original Amended Complaint (ECF Doc. No. 14) and his latest Amended Complaint (ECF Doc. No. 71) for the reasons stated in Defendants’ memorandum of law in support of their motions to dismiss. (ECF Doc. No. 51).

Dated: December 28, 2017

s/Ryan M. Zipf

Ryan M. Zipf

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